



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held January 23, 2007, the Board took the following action:

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At the time and place regularly set, notice having been duly given, the following item was called up:

De novo hearing on Conditional Use Permit Case No. 98-062-(3), and Final Environmental Impact Report, to authorize construction, operation and maintenance of a private religious preschool, elementary and middle school (pre-kindergarten through eighth grade) for up to 750 students and 97 staff on property located northeasterly of Palo Comado Canyon Rd. and east of Cheseboro Rd., Agoura Hills, Malibu Zoned District, applied for by Abraham Joshua Heschel Day School West. (Appeals from Regional Planning Commission's approval and conditions of approval)

All persons wishing to testify were sworn in by the Executive Officer of the Board. Frank Meneses and Kim Szalay, representing the Department of Regional Planning; Dennis Hunter, representing the Department of Public Works; Bob Asgian, representing the Sanitation District and Mark Nelson, Battalion Fire Chief testified. Opportunity was given for interested persons to address the Board. Ben Reznik, Roger Van Wert, Roger Bloxberg, Dan Kuperberg, Mayor, City of Agoura Hills, George Colman, Jess Thomas and others addressed the Board. Written correspondence was presented.

(Continued on Page 2)

Supervisor Yaroslavsky made the following statement:

“On June 28, 2006, the Regional Planning Commission unanimously approved the Conditional Use Permit to allow a school of up to 750 students. The EIR certified by the Regional Planning Commission found that two alternate mitigation measures, a roundabout and a five-way traffic signal, could fully mitigate the cumulative traffic impacts caused by the build-out of this school and other developments approved by the City of Agoura Hills and other jurisdictions in that region. However, as a condition of approval, the Regional Planning Commission required that a new public hearing be held by that body if any traffic mitigation measure other than the roundabout is used. The applicant has appealed that condition of approval and is requesting that either traffic mitigation measure be allowed without additional public hearings at the Planning Commission.

“It is clear that the permitting process for either of these traffic mitigation measures proposed for the intersection of Palo Comado Canyon Rd. and the 101 Freeway will require a lengthy review process by the Department of Public Works, Caltrans and the City of Agoura Hills. It is also apparent that this review cannot be completed prior to this Board’s final action on the Conditional Use Permit without causing a significant delay in the opening of this school. As an alternative, a properly designed interim traffic mitigation plan combined with a dramatically reduced school size for the life of that interim plan can both protect the community from all significant traffic impacts and avoid delays to the opening of the school. Additional time is needed to fully develop this plan and address concerns related to traffic, emergency response, aesthetics, noise, and other environmental impacts that members of the community have raised at this hearing.”

(Continued on Page 3)

Therefore, on motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, unanimously carried, the Board continued the hearing to May 22, 2007 at 9:30 a.m., and requested the applicant of Conditional Use Permit Case No. 98-062-(3) to work with the affected County Department staff, public agencies and other interested parties to address the following concerns to:

1. Develop an interim traffic plan for a student body of no more than 390 students that fully mitigates all project-specific, tertiary, and cumulative traffic impacts, provides an enhanced, measurable, and enforceable busing and/or carpooling program and includes an evaluation of alternative access routes including but not necessarily limited to one-way ingress at Canwood St. and one-way egress at Chesebro Rd.;
2. Perform any and all additional environmental assessment required by the California Environmental Quality Act and make the interim traffic plan and additional environmental documentation available for public review for a period of not less than 45 days and direct Regional Planning staff to prepare appropriate responses to comments and the final environmental documentation;
3. Prepare and recommend to the Board a modified grading concept that meets all County standards and includes a redesign of the Canwood St. entrance that more fully preserves the natural topography of the ridgeline;
4. Produce photometric and sight-line analyses, elevations, building renderings, and landscape plans, make these graphics available to interested members of the community, and prepare for recommendation to the Board a modified set of design and landscape standards that will preserve the semi-rural/equestrian character and existing architectural aesthetic of Old Agoura;

(Continued on Page 4)

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5. Create a preliminary emergency response planning checklist for inclusion in the conditions of the Conditional Use Permit that ensures the future development and regular updating of a comprehensive emergency response and evacuation plan that will establish clear lines of communication between parents, school officials, community members and emergency responders and ensure that the school's operations do not interfere with an orderly evacuation of the surrounding community should one become necessary;
6. Improve the school's noise attenuation plan and recommend changes to the permit conditions that eliminate wherever possible potentially disruptive noises including but not limited to loudspeakers, school bells and other amplified devices;
7. Work with the City of Agoura Hills to develop a set of standard minimum conditions for any temporary use permits approved for the site;
8. Work with the appropriate conservation and public park agencies to secure final documentation verifying the respective agency's willingness to receive the deed restricted conservation easement and land dedication that are shown on the approved Exhibit A and submit the documentation to the Board prior to May 22, 2007; and
9. Immediately repair and continually maintain all exterior fencing on the property so as to prevent trespassing and perform this work in a manner that preserves the existing character of the Old Agoura community.

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Copies distributed:

Each Supervisor
County Counsel
Director of Planning
Director of Public Works
Ben Reznik
Roger Van Wert
Roger Bloxberg
Dan Kuperberg
George Colman
Jess Thomas